



Don't stifle developmental role of public universities

THE enactment of the Statutory Bodies (Discipline and Surcharge) Act 2000 (Act 605) has long raised significant concerns in Malaysia's academic community about its restrictive impact on public universities. The Act mandates prior written consent from the Higher Education minister before any public statement about public bodies and government can be made, effectively curtailing academic freedom and limiting scholars' capacity to participate meaningfully in public discourse.

Act 605 defines "public statements" broadly, encompassing any remarks or commentary shared through various media – including social media platforms, academic journals, books, newspapers, and digital publications. This wide definition results in an extensive reach that covers almost all forms of communication, curbing the dissemination of academic insights across diverse platforms.

The above provision is explicit-

ly prescribed in regulation 18; from a policy standpoint, regulation 18 intends to maintain unity and coherence in government policy, safeguard confidentiality of government information, ensure accountability for statements that might be perceived as official, and preserve public trust in government institutions.

These restrictions were likely designed to balance openness with responsible communication; however, the stringent application of regulation 18 has adversely impacted public university academics. Unauthorised public statements can lead to significant penalties, including salary deferment, reduction, demotion, or even dismissal.

Moreover, the restrictions imposed are at odds with both the intent and provisions of the Universities and University Colleges Act 1971 (Act 30) as well as the constitutions governing public universities.

These legal frameworks assign

public universities specific responsibilities, including generating and disseminating knowledge, educating students, conducting and publishing research, and providing consultancy services. Central to this mission is the academic freedom to engage publicly – whether through lectures, publications, or digital platforms. Ensuring this right is crucial to fostering a robust academic environment and advancing the development of Malaysian universities.

Consequently, the constraints of regulation 18 conflict with both the Universities and University Colleges Act and the mandates of public universities, as well as with the fundamental principles of knowledge dissemination and intellectual engagement.

Additionally, the prohibitions clash with standard practices and policies within universities. By restricting public statements in academic conferences, journals, advocacy forums, and social

media, regulation 18 impedes academics from meeting essential performance and assessment criteria required for career progression – many key performance indices necessitate active public engagement and visibility.

Addressing this misalignment is crucial to support academics in achieving their performance benchmarks and advancing their academic profiles.

These restrictions also undermine the Higher Education Ministry's strategic goals, notably the Malaysia Education Development Plan (Higher Education) 2015-2025, commonly referred to as the Malaysian Higher Education Blueprint. This blueprint emphasises the importance of energising research, promoting knowledge dissemination, and establishing Malaysia as a regional and global hub for higher education. To unlock the full potential of the higher education sector, Act 605 must be realigned with these strategic priorities.

In a recent and positive development, Higher Education Minister Datuk Seri Dr Zambray Abdul Kadir voiced support for exempting public university lecturers from the prohibitions imposed by Act 605. This stance marks a promising step towards addressing the long-standing challenges faced by academia in Malaysia.

Amending regulation 18 of Act 605 is imperative to align the Act with the evolving objectives and requirements of Malaysia's higher education landscape. Such reforms would empower public universities to contribute more effectively to society, foster a culture of intellectual freedom, and enhance Malaysia's global standing in academia.

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